



Case Number **ZC-17-182**

**ZONING MAP CHANGE
STAFF REPORT**

City Council Meeting Date:
January 9, 2018

Council District 8

Zoning Commission Recommendation:

Approval by a vote of 9-0

Opposition: None submitted

Support: Handley NA, West Meadowbrook NA, East Fort Worth Business Assoc.

Continued	Yes <u>X</u>	No <u> </u>
Case Manager	<u>Lynn Jordan</u>	
Surplus	Yes <u> </u>	No <u>X</u>
Council Initiated	Yes <u> </u>	No <u>X</u>

Owner / Applicant: **ADMA Holdings, LLC**

Site Location: 2016 & 2020 E. Lancaster Avenue

Mapsc0: 77DH

Proposed Use: **Vehicle Tow Yard**

Request: From: "FR" General Commercial Restricted and "J" Medium Industrial

To: PD/FR Planned Development for all uses in "FR" General Commercial Restricted plus tow yard; site plan included.

Land Use Compatibility: Requested change **is not compatible.**

Comprehensive Plan Consistency: Requested change **is not consistent.**
(Significant Deviation)

Background:

The proposed site is located south of E. Lancaster, a major road and categorized as a system link on the city's Thoroughfare Plan. The applicant purchased the property in September 2017 and has been operating a tow yard that accessed the rear industrially zoned property through the commercially zoned property. Code Compliance has visited the site and instructed the business owner to cease or get the correct zoning district and Certificate of Occupancy for the use. This is part of a code case C-694667 for storage of towed vehicles.

The applicant is requesting to rezone the property to "PD/FR" Planned Development for "FR" uses for a tow yard with short term storage of vehicles; site plan included. The site plan indicates an expansion of an existing office with carport approximately 2,000 sq. ft. and two existing wood frame buildings to be used for personal storage. The applicant's agent indicated at the Zoning Commission that the existing pole sign would be removed and a monument sign installed.

TPW Floodplain staff has some concerns with the expansion of the existing building of more than 50% improvement from the existing structure. The entire structure will need to be brought into compliance with NFIP regulations.

Within the tow yard, at no time can any of the vehicles on the property become parted, maintain expired tags or otherwise become undrivable unless being held for a limited time due to insurance investigations. Code Compliance would process the case as a zoning violation if such activity occurs.

MOTOR VEHICLE JUNK YARD OR STORAGE YARD: Any business and any place of storage or deposit which displays, or in or upon which there are displayed, to view from a public right-of-way, two or more registered or unregistered motor vehicles which are unfit for reconditioning for use on the public highways, or used parts of motor vehicles, or old iron, metal, glass, paper, cordage, or other waste, or discarded or secondhand material which has been a part or intended to be a part of any motor vehicle, the sum of which parts or material shall be equal in bulk to two or more motor vehicles, but excluding vehicles in operable condition specially adapted or constructed for racing or operation on privately owned drag strips or raceways, vehicles retained by the owner for antique collection purposes rather than for salvage or for transportation, and vehicles stored as the property of a member of the armed forces of the United States who is on active duty assignment outside the continental and territorial limits of the United States.

DISMANTLED VEHICLE: A vehicle that has, intentionally or unintentionally, one or more significant parts removed. A significant part is any part that is need to safely operate the vehicle, including but not limited to, a wheel or tire, windshield, door, side quarter panel, trunk, hood, roof, steering wheel or transmission. A vehicle can be considered dismantled under this definition whether or not it is in an operative condition.

The case was continued from the December 5 meeting by the applicant to allow time to meet with the Councilmember.

Site Information:

Owner: ADMA Holding, LLC
1028 E. SH 121
Lewisville, TX 75057
Acreage: 1.66 ac
Agent: Texas Land Use/Dennis Hopkins
Comprehensive Plan Sector: Southside
Surrounding Zoning and Land Uses:
North "I" Light Industrial / commercial parking lot
East "FR" General Commercial Restricted / hotel
South "A-5" One-Family / parkland
West "CF" Community Facilities / church

Recent Relevant Zoning and Platting History:

Zoning History: None
Platting History: None

Site Plan Comments:

The site plan as submitted is not in general compliance with the zoning regulations.

1. The site plan indicates future and exiting office, a total of 1,998 sq. ft. The minimum required is five parking spaces. **(waiver required one space short)**
2. (FYI) Dumpster indicated shall be within an enclosure.
3. (FYI) Existing pole sign to be removed.
4. Clarify existing fence material. Metal fences or chain link with slats or material are not permitted as a screening fence. Screening fences consist of wood, brick, stone or reinforced concrete products. **(waiver would be required for a metal fence)**

Zoning Commission recommended waivers to items 1 and 4 noted above.

TPW Floodplain comments: No comments have been received at this time.

TPW Comments:

1. Street Dimensions - Show the dimensions of all existing or recorded streets, alleys, easements, railroad ROW, or other public ROW within or adjacent to the subdivision boundaries. The distance from the centerline of the existing roadway of the boundary street to the proposed property line shall be shown. Include all dedication information for all existing rights-of-way.
2. Gated Entrances (Ch. 31-107) - Gated entrances into secured areas must be designed in accordance with TPW's "Traffic Engineering Design Standards and Policy Guidelines". Provisions for an acceptable turnaround must be made. Provide details in IPRC plan set (single-family) or UR site plan (multi-family)

for gates. All gates shall be equipped with a knox-box or other approved fire access apparatus that is reviewed and approved by the Fire Department. (Gates must be located 3 vehicle lengths from the ROW).
3. Sidewalks (Ch. 31-106-C-15) - Sidewalks and street lights are required for all public and private streets and public access easements as per City of Fort Worth Standards

Platting Comments: No comments have been received at this time.

Water Comments: No comments have been received at this time.

Fire Comments: Failure to recognize violations of the fire code by the fire code official does not waive the requirement of meeting minimum requirements of the fire code in the future. It is the applicant's and the owner's responsibility to meet all minimum fire code requirements at all times. The City of Fort Worth has adopted the 2015 International Fire Code as its current fire code. The City of Fort Worth also has adopted amendments to this code. The City of Fort Worth Fire Code Amendments can be found online at www.fortworthtexas.gov/Fire/ (click on Bureau of Fire Prevention)

(Comments made by Platting (Subdivision Ordinance), Transportation/Public Works, Fire, and Water Department staff cannot be waived through the Zoning Commission and City Council. Approval of the zoning site plan does not constitute the acceptance of conditions.)

Recent Relevant Zoning and Platting History:

Transportation/Access

Street/Thoroughfare	Existing	Proposed	In Capital Improvements Plan (CIP)
East Lancaster	System Link with Rapid Transit	System Link with Rapid Transit	No
Whitson St.	Residential Two-Way	Residential Two-Way	No

Public Notification:

300 foot Legal Notifications were mailed on October 25, 2017.

The following organizations were notified: (emailed October 17, 2017)

Organizations Notified	
Neighborhoods of East Fort Worth	Streams and Valleys Inc
Parker Essex Boaz NA	Riverside Alliance
Polytechnic Heights NA	Southeast Fort Worth, Inc.
United Riverside NA	Glenwood Triangle NA
Fort Worth League of Neighborhoods Assoc.	Eastside Sector Alliance
Near Eastside NA	Hurst Euless Bedford ISD
West Meadowbrook NA*	United Riverside Rebuilding Corporation, Inc.
East Fort Worth, Inc.	East Fort Worth Business Assoc.
Trinity Habitat for Humanity	Fort Worth ISD

*Located within this registered Neighborhood Association.

Development Impact Analysis:

1. **Land Use Compatibility**

The applicant is proposing a zoning change to "PD/FR" Planned Development for all uses in "FR" plus tow yard with short term outdoor auto storage. Predominant land uses surrounding the proposed site consist of a hotel to the east, commercial parking lot to the north, parkland to the south and a church to the west.

Due to the commercial and auto oriented uses, the proposed zoning **is not compatible** with surrounding land uses.

2. **Comprehensive Plan Consistency**

The 2017 Comprehensive Plan designates the site as General Commercial. The "FR" zoning district allows for auto related uses; the tow yard facility is considered outdoor storage and permitted in industrial districts. The proposed zoning is not consistent with the following Comprehensive Plan policies:

- Separate incompatible land uses with buffers or transitional uses. Some land uses have attributes such as height, proportion, scale, operational characteristics, traffic generated, or appearance that may not be compatible with the attributes of other uses.

Based on nonconformance with the future land use map and policy as stated above, the proposed zoning **is not consistent** with the Comprehensive Plan (***Significant Deviation***).

Attachments:

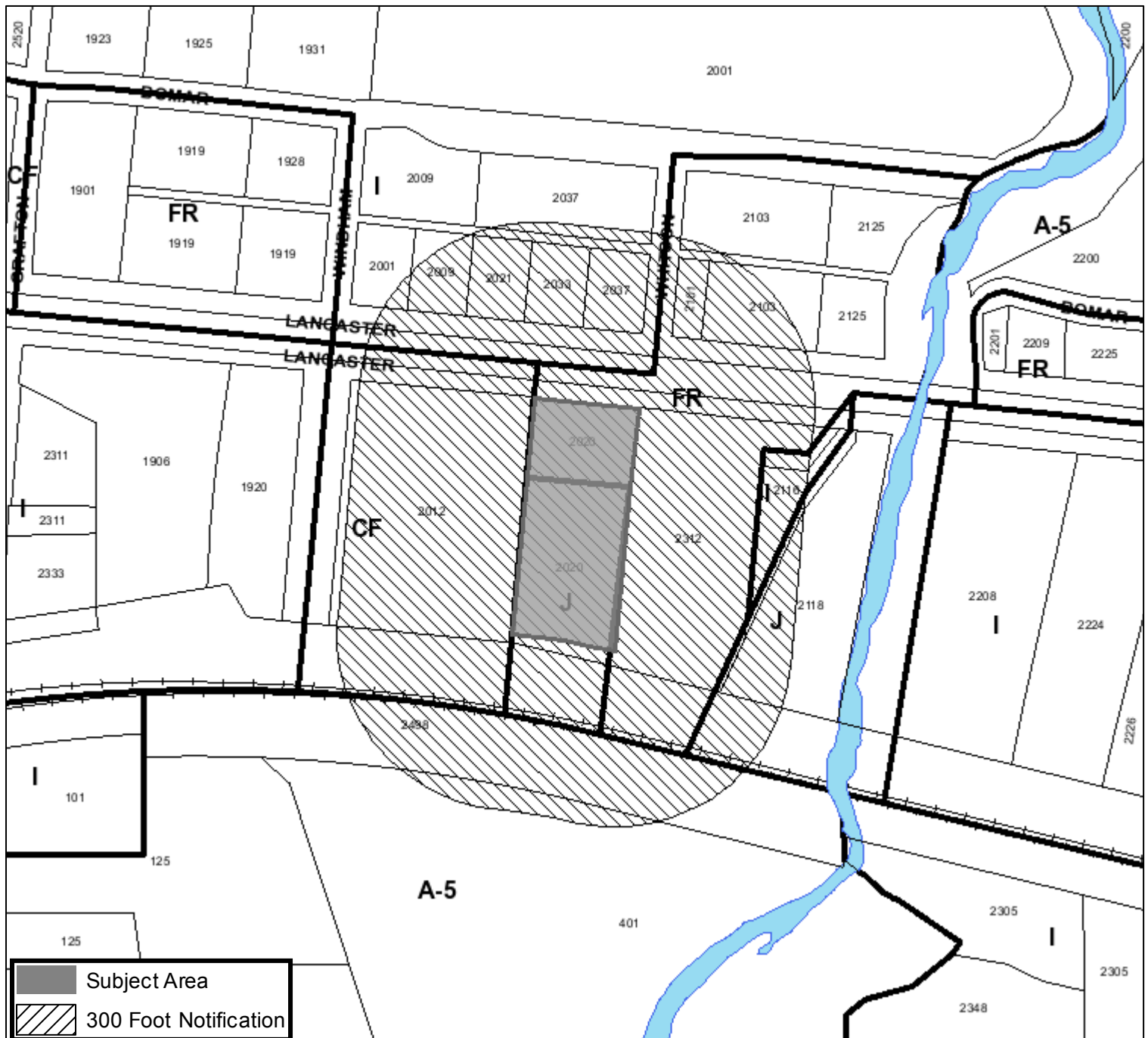
- Location Map
- Area Zoning Map with 300 ft. Notification Area
- Future Land Use Map
- Aerial Photograph
- Site Plan
- Minutes from the City Council meeting
- Minutes from the Zoning Commission meeting



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Area Zoning Map

Applicant: ADMA Holdings, LLC
Address: 2016 & 2020 E. Lancaster Avenue
Zoning From: FR, J
Zoning To: PD for FR uses plus towing yard
Acres: 1.66937906
Mapsc0: 77DH
Sector/District: Southside
Commission Date: 11/8/2017
Contact: null



0 120 240 480 Feet

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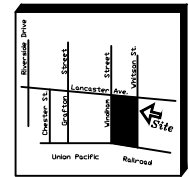


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Area Map



0 1,000 2,000 4,000 Feet



Location Map

East Lancaster Avenue

Whitson Street

Union Pacific Railroad

Planned Development / Specific Use For All Uses In "FR" General Commercial Restricted District Plus Vehicle Recovery Facility

1220 East Lancaster Avenue
Fort Worth, Texas 76104

Lot 1, Block 1
Don Rankin Addition
And

Tract 33E, James Sanderson Survey
Abstract No. 1430
1.739 Acres of Land

Owner

ADMA Holdings LLC
1028 E SH 121
Lewisville, TX. 75057
(972) 906-2901

Bonilla Group

Land Development Consultants Since 1988
BonillaGroup@gmail.com (817) 230-9764

Off Street Parking Requirements

- Section 6.201 - 2.5 Parking spaces required per 1,000 square feet of gross floor area office space
- 998 square feet of existing office space
- 2.5 parking spaces required
- 4 parking spaces provided

General Notes

1. Lighting will conform to Lighting Code
2. Signage will conform to Article 4, Signs
3. Project will comply with Section 6.301, Landscaping
4. Project will comply with Section 6.302, Urban Forestry

Requested Waivers

1. Waiver requested to allow Metal Panel Fence as shown on site plan

Director of Development

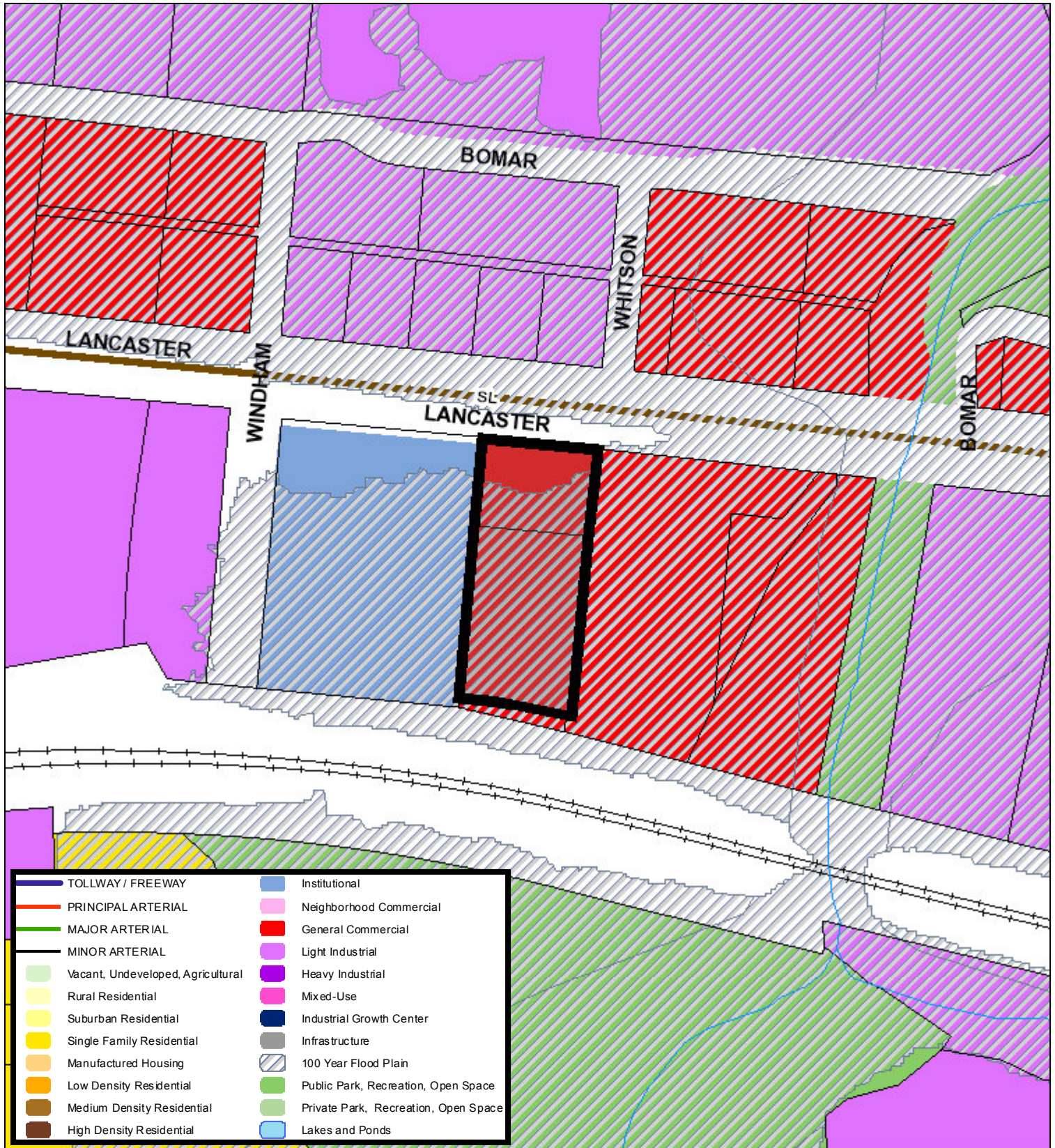
Date

▲ Revised, 11/28/2017
Revised, 11/22/2017
Revised, 10/24/2017



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Future Land Use



200 100 0 200 Feet

A Comprehensive Plan shall not constitute zoning regulations or establish zoning district boundaries. (Texas Local Government Code, Section 213.005.) Land use designations were approved by City Council on March 7, 2017.

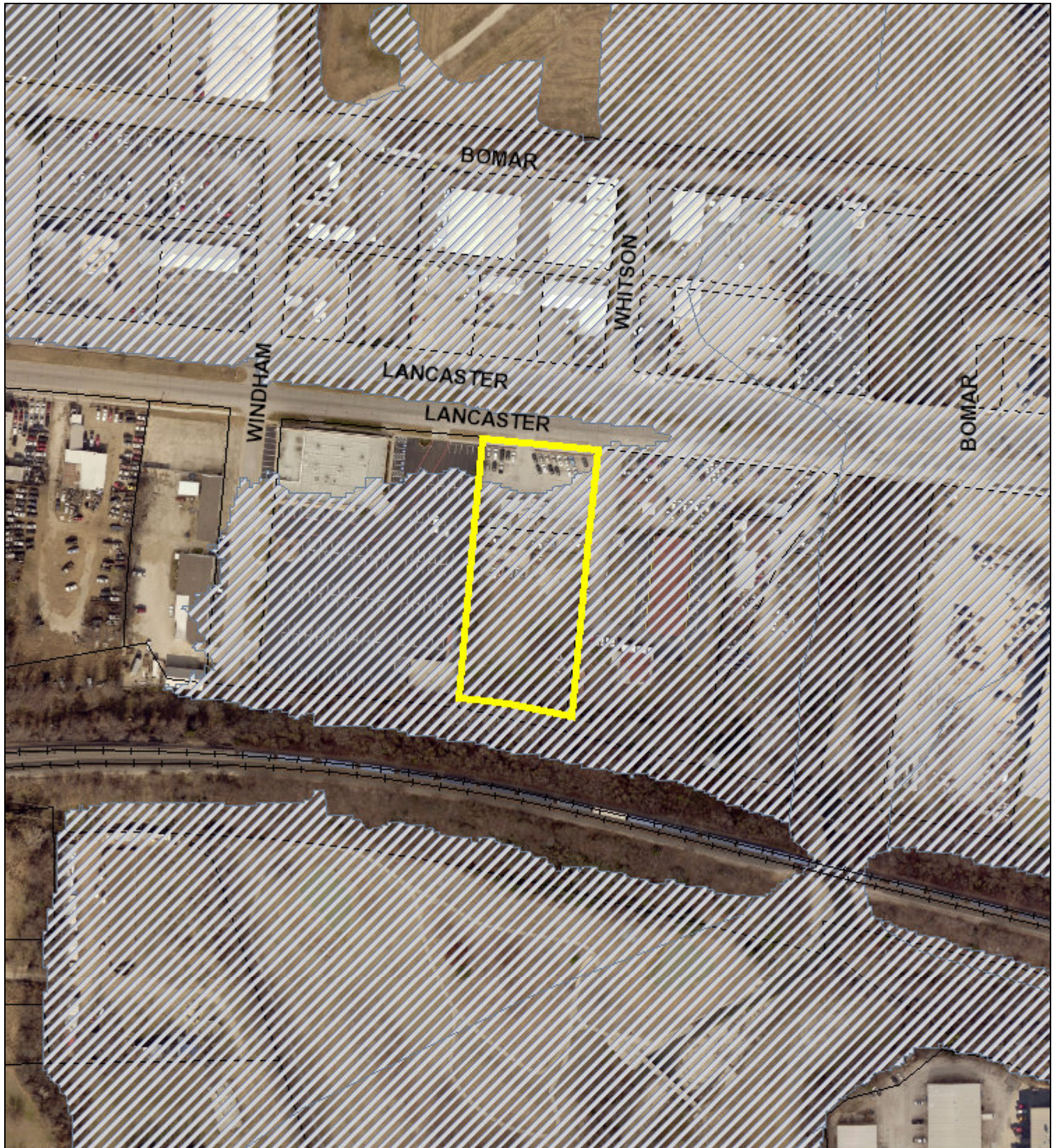


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Aerial Photo Map



0 130 260 520 Feet



Jaime Valtierra, 5116 Walthall St, Haltom City, TX, via a translator, stated he bought the property in the current configuration in 2008. He has had yearly inspections from code compliance and it was not an issue until now. He wants to continue the same use. He also stated the neighborhood association supports the project.

Motion: Following brief discussion, Ms. Trevino recommended Approval of the request, seconded by Mr. Northern. The motion passed unanimously 9-0.

<i>Document received for written correspondence</i>					ZC-17-136
Name	Address	In/Out 300 ft. notification area	Position on case		Summary
Jaime Valtierra	5116 Walthall St, Haltom City, TX		Support		Applicant

7. ZC-17-182 ADMA HOLDINGS, LLC (CD 8) – 2016 and 2020 E. Lancaster Ave. (Don Rankin Addition, Lot 1, Block 1, 1.66 ac) From: “FR” General Commercial Restricted and “J” Medium Industrial To: PD/FR Planned Development for all uses in “FR” General Commercial Restricted plus tow yard; site plan included

Dennis Hopkins, 2131 N Collins St, Arlington, TX, representing the applicant, gave a brief overview of the history of the property. He stated they want to eliminate the industrial zoning and place a PD that allows for the tow yard. He stated the tow yard is not open to the public and that repossessed vehicles only stay on the property for a maximum of ten days.

Motion: Following brief discussion, Ms. Conlin recommended Approval of the request, seconded by Ms. Runnels. The motion passed unanimously 9-0.

<i>Document received for written correspondence</i>					ZC-17-182
Name	Address	In/Out 300 ft. notification area	Position on case		Summary
Dennis Hopkins	2131 N Collins St, Arlington, TX		Support		Representing Applicant
Handley NA			Support		Sent letter
Neighborhoods of East Fort Worth Alliance			Support		Sent letter
East Fort Worth Business Assoc.			Support		Sent letter

8. ZC-17-183 WILLIAM WILSON (CD 9) – 4421, 4437 and 4441 Wayside Ave. (Seminary Holl, Lots 10, 14-16, Block 74, 0.48 ac.) From: “CF” Community Facilities To: “A-5” One-Family

William Wilson, 6026 Windcrest Ct, Weatherford, TX, applicant, stated he purchased these lots from the Seminary in April and wants to build single family homes.